

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 4:09CR3093 |
| |) | |
| v. |) | |
| |) | |
| JOEL OCHOA-GONZALEZ, |) | MEMORANDUM AND ORDER |
| |) | |
| Defendant. |) | |

The defendant has moved to continue trial, (filing no. 40), because defendant's counsel needs additional time to prepare for trial. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) Defendant Joel Ochoa-Gonzalez's motion to continue, (filing no. 40), is granted.
- 2) The trial of this case is set to commence before the district judge at 9:00 a.m. on **April 23, 2012**, for a duration of three trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and **April 23, 2012** shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 9th day of February, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge